

ASSEMBLY BILL

No. 891

Introduced by Assembly Member Campos

February 26, 2015

An act to add Section 39800.1 to, and to amend Sections 8482.6, 8483, and 8483.1 of, the Education Code, and to add Article 3.7 (commencing with Section 11340) to Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions Code, relating to low-income youth benefits.

LEGISLATIVE COUNSEL’S DIGEST

AB 891, as introduced, Campos. Low-income youth: educational attainment and success.

(1) The After School Education and Safety Program Act of 2002, enacted by initiative statute, establishes the After School Education and Safety Program to serve pupils in kindergarten and grades 1 to 9, inclusive, at participating public elementary, middle, junior high, and charter schools. The act gives priority enrollment in both after school and before school programs to pupils in middle school or junior high school who attend daily.

This bill would instead give first priority enrollment to homeless youth, as defined, 2nd priority enrollment to pupils in CalWORKs assistance units, as described, and 3rd priority enrollment to pupils who attend the program daily.

The act provides that an after school and before school program is not required to charge family fees or conduct individual eligibility determination based on need or income.

This bill would prohibit a program that charges family fees from charging a fee to a family with a homeless youth or a family who is part of a CalWORKs assistance unit.

(2) Existing law authorizes the governing board of a school district to provide for the transportation of pupils to and from school whenever in the judgment of the board the transportation is advisable and good reasons exist to do so.

This bill would require a pupil entitled to free or reduced-price meals, or who attends a school that participates in the Community Eligibility Option, to be entitled to free transportation to and from school provided by the local educational agency, if certain conditions are met. The bill would require the local educational agency to designate a liaison to implement a plan, in consultation with specified stakeholders, to ensure that all entitled pupils receive free transportation in a timely manner.

By requiring new duties on a local educational agency, the bill would impose a state-mandated local program.

(3) Existing law requires each county to provide cash assistance and other social services to needy families through the California Work Opportunity and Responsibility to Kids (CalWORKs) program using federal Temporary Assistance to Needy Families (TANF) block grant program, state, and county funds. Existing law specifies the amounts of cash aid to be paid each month to CalWORKs recipients.

This bill would require that a \$200 supplement to the amount of cash aid provided under the program be paid to a CalWORKs recipient 19 years of age and under, upon verification that the recipient has obtained a high school diploma or its equivalent.

The bill would also, among other things, require the State Department of Social Services, in coordination with the State Department of Education, to identify a method and to use that method to track the high school completion rates of children in an assistance unit, and to make publicly available an aggregate report of these high school completion rates tracked by the department.

The bill would require the State Department of Social Services to, in consultation with specified entities, design a youth subsidized employment program for youth 15 to 19 years of age, inclusive, who are eligible for benefits under this bill and needy youth, as defined, and would require the program to provide paid employment, occupational skills training, and other relevant services.

The bill would require a child in an assistance unit to receive, in advance, a transportation service supplement to the amount of cash aid

provided under the program to pay for transportation services in order for the child to participate in an After School Education and Safety Program (ASES) program.

By increasing county administrative duties, the bill would impose a state-mandated local program.

The bill would authorize the State Department of Social Services to implement the above provisions by all-county letters or similar instructions until regulations are adopted and would require the department to adopt regulations on or before January 1, 2018.

(4) Existing law continuously appropriates moneys from the General Fund to defray a portion of county costs under the CalWORKs program.

This bill would instead provide that the continuous appropriation would not be made for purposes of implementing the bill.

(5) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. (a) The Legislature finds and declares all of the
- 2 following:
- 3 (1) According to data released by the U.S. Census Bureau,
- 4 without a high school diploma, Americans are almost twice as
- 5 likely to live in poverty.
- 6 (2) Several independent academic studies indicate a marked
- 7 increase in school participation and graduation rates among
- 8 children who were guaranteed transportation to and from school.
- 9 (3) Research shows that pupils, especially girls, benefit from
- 10 improved health and academic outcomes when they participate in
- 11 after school programs.
- 12 (4) There is recent evidence suggesting that increasing access
- 13 to books can even mitigate the effects of poverty on school
- 14 achievement and literacy development.

1 (5) According to a recent report by California Attorney General
2 Kamala Harris, poverty and financial instability is the number one
3 cause of truancy in the state.

4 (6) Participation in a summer youth job program has been proven
5 to increase the high school graduation rate of children in
6 low-income homes.

7 (b) Based on the findings and declarations in subdivision (a), it
8 is the intent of the Legislature to enact legislation that would
9 support school participation and high school attainment among
10 low-income youth.

11 SEC. 2. Section 8482.6 of the Education Code is amended to
12 read:

13 8482.6. Every pupil attending a school operating a program
14 pursuant to this article is eligible to participate in the program,
15 subject to program capacity. A program established pursuant to
16 this article is not required to charge family fees or conduct
17 individual eligibility determination based on need or income. *If a*
18 *program established pursuant to this article does charge family*
19 *fees, the program shall not charge a fee to a family with a child*
20 *who is identified as a homeless youth, as defined by the federal*
21 *McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301*
22 *et seq.), or to a family who is part of a CalWORKs assistance unit,*
23 *as described in subdivision (a) of Section 11265.45 of the Welfare*
24 *and Institutions Code.*

25 SEC. 3. Section 8483 of the Education Code is amended to
26 read:

27 8483. (a) (1) Every after school component of a program
28 established pursuant to this article shall commence immediately
29 upon the conclusion of the regular schoolday, and operate a
30 minimum of 15 hours per week, and at least until 6 p.m. on every
31 regular schoolday. Every after school component of the program
32 shall establish a policy regarding reasonable early daily release of
33 pupils from the program. For those programs or schoolsites
34 operating in a community where the early release policy does not
35 meet the unique needs of that community or school, or both,
36 documented evidence may be submitted to the department for an
37 exception and a request for approval of an alternative plan.

38 (2) It is the intent of the Legislature that elementary school
39 pupils participate in the full day of the program every day during
40 which pupils participate and that pupils in middle school or junior

1 high school attend a minimum of nine hours a week and three days
2 a week to accomplish program goals.

3 (3) In order to develop an age-appropriate after school program
4 for pupils in middle school or junior high school, programs
5 established pursuant to this article may implement a flexible
6 attendance schedule for those pupils. ~~Priority for enrollment of~~
7 ~~pupils in middle school or junior high school shall be given to~~
8 ~~pupils who attend daily.~~

9 (b) The administrators of a program established pursuant to this
10 article have the option of operating during any combination of
11 summer, intersession, or vacation periods for a minimum of three
12 hours per day for the regular school year pursuant to Section
13 8483.7.

14 (c) *Priority for enrollment of pupils in an after school program*
15 *shall be as follows:*

16 (1) *First priority shall go to pupils who are identified as*
17 *homeless youth, as defined by the federal McKinney-Vento*
18 *Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.).*

19 (2) *Second priority shall go to pupils who are members of a*
20 *CalWORKs assistance unit, as described in subdivision (a) of*
21 *Section 11265.45 of the Welfare and Institutions Code.*

22 (3) *Third priority shall go to pupils who attend daily.*

23 SEC. 4. Section 8483.1 of the Education Code is amended to
24 read:

25 8483.1. (a) (1) Every before school program component
26 established pursuant to this article shall in no instance operate for
27 less than one and one-half hours per regular schoolday. Every
28 program shall establish a policy regarding reasonable late daily
29 arrival of pupils to the program.

30 (2) (A) It is the intent of the Legislature that elementary school
31 pupils participate in the full day of the program every day during
32 which pupils participate and that pupils in middle school or junior
33 high school attend a minimum of six hours a week or three days
34 a week to accomplish program goals, except when arriving late in
35 accordance with the late arrival policy described in paragraph (1)
36 or as reasonably necessary.

37 (B) A pupil who attends less than one-half of the daily program
38 hours shall not be counted for the purposes of attendance.

39 (3) In order to develop an age-appropriate before school program
40 for pupils in middle school or junior high school, programs

1 established pursuant to this article may implement a flexible
2 attendance schedule for those pupils. ~~Priority for enrollment of~~
3 ~~pupils in middle school or junior high school shall be given to~~
4 ~~pupils who attend daily.~~

5 (b) The administrators of a before school program established
6 pursuant to this article shall have the option of operating during
7 any combination of summer, intersession, or vacation periods for
8 a minimum of two hours per day for the regular school year
9 pursuant to Section 8483.75.

10 (c) Every before school program component established pursuant
11 to this article shall offer a breakfast meal as described by Section
12 49553 for all program participants.

13 *(d) Priority for enrollment of pupils in a before school program*
14 *shall be as follows:*

15 *(1) First priority shall go to pupils who are identified as*
16 *homeless youth, as defined in the federal McKinney-Vento*
17 *Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.).*

18 *(2) Second priority shall go to pupils who are members of a*
19 *CalWORKs assistance unit, as described in subdivision (a) of*
20 *Section 11265.45 of the Welfare and Institutions Code.*

21 *(3) Third priority shall go to pupils who attend daily.*

22 SEC. 5. Section 39800.1 is added to the Education Code, to
23 read:

24 39800.1. (a) Notwithstanding any other law, a pupil entitled
25 to free or reduced-price meals, as that term is used in Section
26 42238.01, or who attends a school that participates in the
27 Community Eligibility Option, shall be entitled to free
28 transportation, from the local educational agency, to and from
29 school, if either of the following conditions are met:

30 (1) The pupil resides more than one-half mile from the school.

31 (2) The neighborhood through which the pupil must travel to
32 get to school is unsafe because of stray dogs, no sidewalks, known
33 gang activity, or another reason documented by stakeholders
34 pursuant to paragraph (c).

35 (b) (1) A local educational agency shall designate a liaison that
36 shall be responsible for implementing a plan to ensure that all
37 pupils entitled to free transportation pursuant to subdivision (a)
38 receive the transportation in a timely manner.

39 (2) The liaison shall be trained to identify and accommodate
40 the special rights of homeless youth, as defined to the federal

McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.), and pupils in a CalWORKs assistance unit, as described in Section 11265.45 of the Welfare and Institutions Code. The liaison shall facilitate access to school services including, but not limited to, transportation services for the pupils described in this paragraph.

(c) (1) The plan required by paragraph (1) of subdivision (b) shall be developed with the consultation of teachers, school administrators, regional local transit authorities, the Air Resources Board, the Department of Transportation, parents, pupils, and other stakeholders.

(2) The plan shall address the ability of pupils in the local educational agency's jurisdiction to make regular visits to the public library.

(d) If no dependable and timely transportation is available for pupils entitled to transportation services pursuant to this section, the local educational agency shall ensure that free transportation be provided using its existing funds.

SEC. 6. Article 3.7 (commencing with Section 11340) is added to Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions Code, to read:

Article 3.7. Low-Income Youth Benefits

11340. (a) The department shall, in coordination with the State Department of Education, identify a method and utilize that method to track the high school completion rates of children in an assistance unit. The department shall report to the Legislature no later than July 1, 2016, if a change in statute is required in order to track high school completion rates of children in an assistance unit.

(b) The department shall make publicly available an aggregate report of the high school completion rates tracked by the department pursuant to subdivision (a).

11341. To incentivize completion of high school or the equivalent for recipients of aid 19 years of age and under, those recipients shall, upon verification that the recipient has obtained a high school diploma or its equivalent, receive a two-hundred-dollar (\$200) supplement to the amount of aid paid pursuant to Section 11450. The supplement shall be paid directly

1 to the recipient and shall be disregarded as income in determining
2 the income of the assistance unit and the income of the CalFresh
3 household if the recipient is receiving CalFresh. Cal-Learn
4 participants who are already eligible for a similar incentive under
5 Article 3.5 (commencing with Section 11331) are not eligible for
6 the supplement established in this subdivision.

7 11342. To support educational outcomes and physical fitness
8 of children in an assistance unit, a child in an assistance unit shall
9 receive, in advance, a transportation service supplement to the
10 amount of aid paid pursuant to Section 11450, as determined by
11 the department, to pay for transportation services in order for the
12 child to participate in an After School Education and Safety
13 Program (ASES) program established pursuant to Section 8482
14 of the Education Code.

15 11343. To support educational outcomes of children in an
16 assistance unit, the department shall coordinate with county human
17 services agencies and the State Department of Health Care Services
18 to annually inform assistance units of the need to have a child's
19 vision regularly examined and how to schedule an appointment
20 with an optometrist for children receiving Medi-Cal benefits.

21 11344. (a) The department shall, in consultation with county
22 human services agencies, programs created under the federal
23 Workforce Investment and Opportunity Act, State Community
24 Services Block Grant (CSBG) offices, and local CSBG entities,
25 design a youth subsidized employment program for youth 15 to
26 19 years of age, inclusive, who are eligible for benefits under this
27 chapter and needy youth, as defined in subdivision (b). The
28 program shall provide paid employment, occupational skills
29 training, and other relevant services. The payment for employment
30 and services provided under this section shall be subject to the
31 same financial participation as payment under subdivision (a) of
32 Section 11450.

33 (b) For the purposes of this section, "needy youth" mean
34 individuals 18 to 24 years of age, inclusive, whose family income,
35 which may include the youth living alone, is less than 200 percent
36 of the federal poverty level.

37 (c) All employers and caseworkers involved in this program
38 shall be trained in trauma-informed care and restorative justice
39 practices.

1 (d) Income earned through the program created pursuant to this
2 section shall be disregarded as income in determining eligibility
3 for, or the amount of, aid under this section.

4 SEC. 7. Notwithstanding the rulemaking provisions of the
5 Administrative Procedure Act (Chapter 3.5 (commencing with
6 Section 11340) of Part 1 of Division 3 of Title 2 of the Government
7 Code), and until January 1, 2018, the State Department of Social
8 Services may implement Section 6 of this act by all-county letters
9 or similar instructions. Thereafter, the State Department of Social
10 Services shall adopt regulations to implement Section 6 of this act
11 on or before January 1, 2018.

12 SEC. 8. No appropriation pursuant to Section 15200 of the
13 Welfare and Institutions Code shall be made for purposes of this
14 act.

15 SEC. 9. If the Commission on State Mandates determines that
16 this act contains costs mandated by the state, reimbursement to
17 local agencies and school districts for those costs shall be made
18 pursuant to Part 7 (commencing with Section 17500) of Division
19 4 of Title 2 of the Government Code.